

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

CAROLINE HARPER and COLE
ULRICH, individually and on behalf of
all others similarly situated,

Plaintiffs,

v.

GENERAL MOTORS, LLC,

Defendant.

Civil Action No. 2:21-cv-12907

Hon. David M. Lawson

Magistrate Judge David R. Grand

**NOTICE OF VOLUNTARY DISMISSAL OF
NAMED PLAINTIFF COLE ULRICH'S CLAIMS WITHOUT PREJUDICE**

PLEASE TAKE NOTICE that pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), Plaintiff Cole Ulrich hereby dismisses his claims without prejudice, to be refiled in a separate action while the arbitrability of Plaintiff Caroline Harper's claims is resolved. This Notice of Voluntary Dismissal is being filed with the Court before service by Defendant of either an answer or a motion for summary judgment.

This dismissal does not relate to the claims asserted by Plaintiff Harper. Both Plaintiffs Harper and Ulrich were compelled to arbitration on March 21, 2023. ECF No. 41, PageID.524. On February 21, 2024, an arbitrator (Hon. Wayne Andersen (ret.)) determined "General Motors, LLC, may not elect to arbitrate its dispute with [Cole Ulrich]. The matter shall be returned to the U.S. District Court." ECF No. 43-

1, PageID.561. The parties have not yet obtained a determination by an arbitrator of the arbitrability of Plaintiff Harper's claims. Plaintiff Harper intends to return her claims to this Court if an arbitrator rejects GM's arguments.

Dated: April 11, 2024

Respectfully submitted,

/s/ Theodore Leopold

Theodore J. Leopold
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Counsel for Plaintiffs

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on April 11, 2024, he served the foregoing via ECF which will notify all counsel of record.

Dated: April 11, 2024

/s/ Douglas J. McNamara

Douglas J. McNamara